

## **REMARKS**

Prior to the present Response, claims 1-20 were pending in the Application. In this Response, no claims are being cancelled or added. Claim 15 is presently amended. Accordingly, claims 1-20 remain pending.

In the Official Action, the Examiner rejected claims 1-20. Claim 15 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-4 and 6-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kapil et al. (U.S. Patent No. 6,941,345), which is hereinafter referred to as “the Kapil reference.” Additionally, claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kapil reference in view of Chang Liu, *Platform-Independent and Tool-Neutral Test Descriptions for Automated Software Testing*, 2000, ACM, pages 713-715, which is hereinafter referred to as “the Liu reference.” Reconsideration of the application in view of the remarks set forth below is respectfully requested.

### **Rejection Under 35 U.S.C. § 112, Second Paragraph**

As set forth above, the Examiner rejected claim 15 under 35 U.S.C. § 112, second paragraph. Specifically, the Examiner stated the following:

It is unclear *how* the system addresses an “interface diversity problem.” Merely stating that a system addresses a problem and not clearly explaining *how* renders the claim vague and indefinite. Examiner advises the Applicant to delete the limitation “*to address an interface diversity problem*” from claim 15 or amended the claim to further explain in detail how the interface diversity problem is addressed.

Office Action, page 2.

As set forth above, claim 15 is presently amended to remove the reference to the “interface diversity problem.” Accordingly, the Applicant requests withdrawal of the rejection of claim 15 under 35 U.S.C. § 112 and an indication of allowance for claim 15.

### **Rejection Under 35 U.S.C. § 102**

In the Official Action, the Examiner rejected claims 1-4 and 6-20 under 35 U.S.C. § 102(e) as being anticipated by the Kapil reference. Specifically, with respect to the independent claims, the Examiner stated the following:

As per claim 1, Kapil et al teach a method for enabling communication between a first agent in a first domain and a second agent in a second domain, the first domain having a first domain coordinator and a first domain service bus and the second domain having a second domain coordinator and a second domain service bus (**Figure 1**), the method comprising:

- a) registering the first domain coordinator with the second domain service bus without registering the first agent (**column 3, lines 10-30, column 4, lines 29-50; service providers of different communities communicate to achieve messaging without the need for a client in one community to register at another community’s service provider**); and
- b) providing communication between the second agent and the first agent via the second domain service bus, the first domain service bus and the first domain coordinator (**column 4, lines 50-55**).

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As per claim 13, Kapil et al teach a system for enabling communication between agents in different domains comprising:

- a) a first domain service bus in a first domain and a second domain service bus in a second domain for providing infrastructure services (**Figure 1**);
- b) a first domain coordinator in the first domain having a send-message service that is registered with the second domain service bus without having the first agent registered with the second domain service bus (**column 3, lines 10-30, column 4, lines 29-50; service providers of different communities communicate to achieve messaging without the need for a client in one community to register at another community’s service provider**); and

e) a first agent in the first domain and a second agent in the second domain, wherein the second agent sends a message directed to the first agent by employing the send-message service of the first domain coordinator (**column 8, lines 48-67**), wherein the first domain coordinator provides a point-of-presence gateway for receiving messages directed to the first agent and forwarding the message to the first agent (**column 4, lines 50-55, lines 10-31**).

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As per claim 18, Kapil et al teach a method for enabling inter-enterprise agent communication comprising the steps of:

a) grouping agents into a first group in a first domain having a first domain service bus and grouping agents into a second group in a second domain having a second domain service bus (**Figure 1, column 3, lines 3-31**);

b) assigning a coordinator to the agents in the first group (**column 3, lines 10-30, column 4, lines 29-50**);

c) registering a send-message service of the coordinator with the second domain service bus without registering agents in the first group (**column 3, lines 10-30, column 4, lines 29-50; service providers of different communities communicate to achieve messaging without the need for a client in one community to register at another community's service provider**);

d) the coordinator receiving messages from the second domain; wherein the messages are directed to a one of the agents in the first group (**column 4, lines 50-55, column 5, lines 37-55**); and

e) the coordinator forwarding the messages to an intended recipient agent; wherein the second domain service bus provides inter-enterprise communication services between the first domain and the second domain (**column 4, lines 50-55, column 3, lines 10-31**).

Office Action, pages 3-8.

Anticipation under 35 U.S.C. § 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under Section 102,

a single reference must teach each and every feature or step of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Thus, if the claims recite even one feature not found in the cited reference, the reference does not anticipate the claimed invention.

Drawings and pictures can anticipate claims if they clearly show the structure which is claimed. *In re Mraz*, 455 F.2d 1069, 173 U.S.P.Q. 25 (C.C.P.A. 1972). However, the picture must show all the claimed structural features and how they are put together. *Jockmus v. Leviton*, 28 F.2d 812 (2d Cir. 1928). Additionally, the drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art. *In re Aslanian*, 590 F.2d 911, 200 U.S.P.Q. 500 (C.C.P.A. 1979). Further, it should be noted that according to 37 C.F.R. § 1.104 and M.P.E.P. § 707.07, the Examiner is required to provide clear explanations of all rejections.

Independent claim 1 recites, *inter alia*, “registering the first domain coordinator with the second domain *service bus without registering the first agent*.” (Emphasis added). Independent claim 13 recites, *inter alia*, “a first domain *service bus* in a first domain and a second domain *service bus* in a second domain for providing infrastructure services; a first domain coordinator in the first domain having a send-message service that is registered with the second domain *service bus without having the first agent registered* with the second domain *service bus*.” (Emphasis added). Independent claim 18 recites, *inter alia*, “grouping *agents* into a first group in a first domain having a first domain *service bus* and grouping *agents* into a second group in a second domain having a second domain *service bus*; assigning a coordinator to the *agents* in the first group; registering a send-message service of the

coordinator with the second domain *service bus without registering agents* in the first group.” (Emphasis added).

In the Office Action, the Examiner cited the Kapil reference for its disclosure of the claim features of independent claims 1, 13, and 18 quoted above. However, the portions of the Kapil reference cited by the Examiner fail to disclose each and every element of these claim features. Indeed, the Kapil reference in its entirety fails to disclose certain elements of the recited features. For example, the Examiner appears to suggest that Fig. 1 of the Kapil reference discloses a first domain having a first domain service bus and a second domain having a second domain service bus, as presently recited. However, Fig. 1 of the Kapil reference is merely illustrative of a communication system linked by a network. *See* Kapil, Fig. 1, col. 2, lines 30-33, and col. 3, lines 3-9. The Applicant is unable to discern where Fig. 1 of the Kapil reference teaches a service bus. The entire Kapil reference fails to discuss or disclose a “service bus.” In fact, a search of the Kapil reference reveals that the term “bus” is not used in the reference.

The portions of the Kapil reference cited by the Examiner for their disclosure of the features of claims 1, 13, and 18 set forth above are reproduced below in their entirety.

Referring to FIG. 1, a communication system 10 in accordance with one embodiment includes a plurality of communities, with a first community 14 and a second community 16 shown. The communities 14 and 16 are serviced by service providers 20 and 22, respectively, and are coupled by a network 8. A “network” may refer to one or more communications networks, links, channels, or paths.

A “community” refers to a group of terminals or users that are served by a service provider. A service provider controls access to certain networks for terminals and users in the served community. The service provider also may determine the types of services that a user or terminal has subscribed to. A service provider includes one or more server systems that

terminals (desktop and mobile units) may be linked to. Such server systems include hardware and software components that perform service provider tasks. A subscriber, through a terminal, may be logged on to a server system to establish a link to the server system. When the subscriber is logged on a server system of the service provider, he or she has an established link with the service provider over which communications between the server system and terminal may occur. When the subscriber is not logged on, the communications link is not active. Logging on to a server refers to providing some type of an identifier, usually in the form of a user name and password, to identify a user or terminal with the server so that a session can be started on the server. Thus, for example, logging on to a server of an Internet service provider allows a subscriber access the Internet.

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In another embodiment, contact servers and contact clients may be distributed across different service providers and different terminals. For example, in FIG. 1, in this distributed architecture, a contact client may be included in each of the terminals 12 and 18 and contact servers may be included in each of the service providers 20 and 22. In this architecture, to establish a real-time messaging or communications session, user A at the terminal 12 in the first community 14 may start its copy of the contact client to enter the name of a desired destination user. The contact client in the terminal 12 then establishes communications with a contact server in the service provider 22 of the second community 16. The contact server in the second service provider 22 can then send a rejection indication to the contact client in the terminal 12 if communications is not possible (user B does not exist, is not available, or is not interested), or the contact server may establish communications with the contact client in the terminal 18. A similar procedure is provided by contact clients in the terminals and the contact server in the service provider 20 of the first community 14 if user B wishes to contact user A.

Kapil et al., col. 3, line 3 – col. 4, line 50.

These cited portions of the Kapil reference not only fail to disclose the service buses claimed by independent claims 1, 13, and 18, as discussed above, but the Applicant is also unable to discern what the Examiner is asserting to be an “agent,” as recited in each of the independent claims. Indeed, the entire Kapil reference is apparently devoid of any discussion

relating to an “agent.” Much less does the Kapil reference teach registering a first domain coordinator with a second domain service bus *without* registering an *agent* in the first domain. The cited portions of the Kapil reference merely discuss text-based messaging between devices. Accordingly, the Applicant asserts that the Kapil reference cannot anticipate independent claims 1, 13, and 18 or the claims depending therefrom because it fails to disclose each and every feature of the claims.

For at least these reasons, the Applicant asserts that the Examiner’s rejection under 35 U.S.C. § 102 is improper. The Applicant therefore requests that the Examiner withdraw the rejection of independent claims 1, 13, and 18 and the claims depending therefrom. Further, the Applicant requests that the Examiner provide an indication of allowance for claims 1, 13, and 18 and the claims depending therefrom.

#### **Rejection under 35 U.S.C. § 103**

In the Official Action, the Examiner rejected claim 5 under 35 U.S.C. §103(a) as being obvious over the Kapil reference in view of the Liu reference. The Applicant respectfully traverses this rejection because the cited references fail to teach or suggest all of the features recited in dependent claim 5.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (P.T.O. Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the

combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (Bd. Pat. App. & Inter. 1985).


The Examiner relied on the Liu reference for its alleged teaching of an E-speak service bus. However, the Liu reference does not obviate the deficiencies of the Kapil reference discussed above. Accordingly, in view of at least the deficiencies discussed above with reference to independent claims 1, 13, and 18, the Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103.

### **Conclusion**

In view of the remarks set forth above, the Applicant respectfully requests reconsideration of the Examiner's rejections and allowance of all pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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